

Adopted	Rejected
---------	----------

## COMMITTEE REPORT

YES:	7
NO:	0

### MR. SPEAKER:

*Your Committee on Judiciary, to which was referred Senate Bill 139, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, after line 12, begin a new paragraph and insert:
- 2 "SECTION 2. IC 35-38-2.5-5.5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5.5. (a) A **sentencing**
- 4 court **in one (1) county** may not place an offender who resides in a
- 5 ~~different another~~ county on home detention ~~unless~~; **in the other**
- 6 **county except as follows:**
- 7 (1) ~~If the offender is eligible for home detention in the county in~~
- 8 ~~which the person resides; and resides in a county adjacent to~~
- 9 **the county in which the sentencing court is located,**
- 10 **supervision of the offender must be conducted by the**
- 11 **probation department or community corrections program**
- 12 **located in the county in which the sentencing court is located.**
- 13 (2) **If the offender resides in a county that is not adjacent to**
- 14 **the county in which the sentencing court is located:**

- 1           **(A) the offender must be eligible for home detention in the**  
 2           **county in which the offender resides; and**  
 3           **(B) supervision of the offender will must be conducted by the**  
 4           probation department or community corrections program  
 5           located in the county in which the offender resides.  
 6       ~~(b)~~ If an offender is:  
 7           (1) currently serving home detention in a county that operates a  
 8           home detention program; and  
 9           (2) being supervised by a probation department or community  
 10          corrections program located in a different county;  
 11       the court shall order that supervision of the offender be transferred to  
 12       the probation department or community corrections program located in  
 13       the county where the offender resides;  
 14       ~~(c)~~ **(b)** All home detention fees described in section 8 of this chapter  
 15       shall be collected by the probation department or community  
 16       corrections program that supervises the offender.  
 17       **(c) A probation department or community corrections program**  
 18       **that supervises an offender on home detention is responsible for**  
 19       **the expenses of the supervision."**  
       (Reference is to SB 139 as printed January 11, 2008.)

**and when so amended that said bill do pass.**

---

Representative Lawson L